Motion to refer to the Select Committee

Sri KONDAJJI BASAPPA (Deputy Minister for co-operation).—Sir, I beg to move:

"That the Mysore Cattle Trespass Bill 1963 as passed by Legislative Council be referred to a Select Committee consisting of the following members:

1	Sri S. P. Phayade	6	Sri S. M. Gureddi
2	,, M. Y. Ghorpade	7	,, G. N. Desai
3	,, M. R. Patil	8	,, A. P. Appanna
4	,, B. G. Linge Gowda	9	Smt. Champabai Bhogale
5	,, S. S. Patil		

Mr. DEPUTY SPEAKER.—Motion moved:

"That the Cattle Trespass Bill, 1963 as passed by Legislative Council be refeired to a Select Committee consisting of the following members:

1	Sri S. P. Phayade	6	Sri S. M. Gureddi
2	,, M. Y. Ghorpade	7	,, G. N. Desai
3	,, M. R. Patil	8	,, A. P. Appanna
4	,, B. G. Linge Gowda	9	Smt. Champabai Bhogale
5	,, S. S. Patil		

The motion was adopted.

The Minister in charge will be the Chairman and the Minister for Law will be co-opted as a member of the Committee.

MYSORE BORSTAL SCHOOLS BILL, 1962.

Motion to consider.

Sri R. M. PATIL (Minister for Home).—I beg to move:

"That the Mysore Borstal Schools Bill, 1962, be taken into consideration."

Mr. DEPUTY SPEAKER.—Motion moved:

"That the Mysore Borstal Schools Bill, 1962, be taken into consideration."

Sri R. M. PATIL.—Sir, the object of the Bill is to bring in uniformity of law on the subject. At present there are different statutes in the integrating areas of the State regulating borstal schools and it was considered necessary to unify the law.

This is a special measure to be considered from the point of view of development and improvement and reformation of this class of mankind. If a court finds that an offender is young and because of criminal habits or tendencies or association with persons of bad character, it is expedient that he should be sent to a Borstal school, it may pass such orders. The Court may pass orders that in lieu of sentence of imprisonment under Section 123 of the Criminal Procedure

Code, the offender may be sent to borstal school. The period of such remission should not be less than 3 years nor more than 5 years, as the competent court may subject to rules made under this Act, decide but in no case can the period be extended beyond the date on which the offender will, in the opinion of the court, attain the age of 23 years. The parents or guardians should also be heard before passing the order. Practically clause 5 is the heart of the Bill.

Who a young offender is, has been defined in clause 2. This bill purports to reform young offenders, to make them good citizens.

There are several procedures laid down. Ordinarily, the Court orders that the young offender should be detained in the borstal school. The second procedure is under clause 8. If the Magistrate trying the case feels he is not empowered to detain him in the borstal school, he forwards a recommendation to the District Magistrate or Sessions Judge. The Court of Sessions may then transfer the proceedings to a competent court for disposal of the case. The third procedure is laid down in clause 10. If the I.G.P is satisfied that a young offender has failed to give security, he may forward the case to the State Government who may, after due enquiry, transfer the offender to a borstal school any where in India.

This is in respect of an offender, who is a young offender and who comes within the purview of young offender. Here it is provided that if he is detained in Jail and if his character and conduct are not good, he may be transferred to the Borstal School. Clause 11 is in respect of transfer of incorrigible young offenders to the prisons and *vice versa*. Chapter III deals with release on licence. Chapter IV deals with control and management of Borstal schools. These are all the provisions which are already in vogue in one part or the other part of the State. In order to have a uniform law, this Bill has been introduced and I crave the indulgence of the House to take this Bill for consideration.

It appears there is none to speak on account of the perfection of the Bill. So, I move that the Bill be passed.

3-30 P.M.

MR. DEPUTY SPEAKER.—The question is:

"That the Mysore Borstal Schools Bill, 1962, be taken into consideration."

The motion was adopted.

CLAUSES 2 TO 32.

MR. DEPUTY SPEAKER.—The question is

"That clauses 2 to 32, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 2 to 32, both inclusive, were added to the Bill.

CLAUSE 1, TITLE AND PREAMBLE.

Mr. DEPUTY SPEAKER.—The question is :

"That clause 1, the Title and the Preamble stand part of the Bill."

The motion was adopted.

Clause 1, the Title and the Preamble were added to the Bill.

Motion to pass.

Sri R. M. PATIL.—Sir, I beg to move :

"That the Mysore Borstal Schools Bill, 1962, be passed."

Mr. DEPUTY SPEAKER.—The question is :

"That the Mysore Borstal Schools Bill, 1962, be passed."

The motion was adopted.

MYSORE CHILDREN BILL, 1962.

Motion to consider.

Smt. YASHODARA DASAPPA (Minister for Social Welfare).—Sir, I beg to move :

"That the Mysore Children Bill, 1962, be taken into consideration."

Mr. DEPUTY SPEAKER.—Motion moved :

"That the Mysore Children Bill, 1962, be taken into consideration."

†ಶ್ರೀಮತಿ ಯಶೋಧರ ದಾಸಪ್ಪ.—ಸ್ವಾಮಿ, ಈಗ ಈ 1962ನೆಯ ಮೈಸೂರು ಮಕ್ಕಳ ವಿಧೇಯಕವನ್ನು ತಂದಿರುವುದರ ಉದ್ದೇಶ, ಈ ಹಿಂದೆ ಈ ಶಾಸನ ಕರ್ನಾಟಕದ ನಾಲ್ಕು ಭಾಗಗಳಲ್ಲಿ ಒಂದೊಂದು ಭಾಗದಲ್ಲಿ ಒಂದೊಂದು ರೀತಿಯಾಗಿತ್ತು; ಈಗ ಆ ನಾಲ್ಕು ಭಾಗಗಳೂ ಒಟ್ಟುಕೂಡಿ ಒಂದಾಗಿರುವುದರಿಂದ ಒಂದು ಸಮಗ್ರ ಬಿಲ್ಲನ್ನು ಎಲ್ಲ ಭಾಗಗಳಿಗೂ ಒಂದೇ ರೀತಿಯಾಗಿ ಅನ್ವಯಿಸುವಂತೆ ಮಾಡಲು ಇದನ್ನು ತರಲಾಗಿದೆ. ಇದರಲ್ಲಿ ಸಾಮಾನ್ಯವಾಗಿ ಬೊಂಬಾಯಿ ರಾಜ್ಯದಲ್ಲಿರತಕ್ಕ ಶಾಸನದಲ್ಲಿ ಕಾಣತಕ್ಕ ಬಹುಭಾಗವನ್ನು ಈಗ ಅಡಕಮಾಡಲಾಗಿದೆ. ಬೊಂಬಾಯಿ ಕರ್ನಾಟಕದಲ್ಲಿ ಈ ಶಾಸನ ಬಹಳ ಚೆನ್ನಾಗಿ ನಡೆಯುತ್ತಿತ್ತು. ಹಾಗೇ ಮದ್ರಾಸ್ ಕರ್ನಾಟಕ ಭಾಗದಲ್ಲೂ ಇದು ಬಹಳ ಚೆನ್ನಾಗಿ ನಡೆಯುತ್ತಿತ್ತು. ಆದರೆ ಹೈದ್ರಾಬಾದ್ ಕರ್ನಾಟಕದಲ್ಲಿ ಅಷ್ಟು ಸಮರ್ಪಕವಾಗಿ ನಡೆಯುತ್ತಿರಲಿಲ್ಲ. ಅಲ್ಲಿ ಸಾಮಾನ್ಯವಾಗಿತ್ತು.

[MR. SPEAKER in the Chair]

ಆದರೆ ಈಗ ಆ ನಾಲ್ಕು ಭಾಗಗಳಲ್ಲಿ ಒಂದೊಂದು ತೆರನಾಗಿದ್ದ ಶಾಸನವನ್ನು ಒಟ್ಟುಗೂಡಿಸಿ ಇಡೀ ದೇಶಕ್ಕೆ ಒಂದೇ ಸಮನಾಗಿರುವಂಥ ಬಿಲ್ಲನ್ನು ಅಳವಡಿಸಲು ಕೆಲವು ನೂಕ್ ತಿದ್ದುಪಡಿಗಳನ್ನು ಮಾಡಿ ಇದನ್ನು ಶಾಸನಕಡಿತಕ್ಕೆರಿಸಲು ಈಗ ಈ ಸಭೆಯ ಅನುಮೋದನೆಗಾಗಿ ಇಲ್ಲಿ ತರಲಾಗಿದೆ. ಒಹುಮಟ್ಟಿಗೆ ಈ ಬಿಲ್ಲು ಬೊಂಬಾಯಿ ಶಾಸನದ ಮಾದರಿಯಲ್ಲಿದೆ. ಆದರೆ 10-12 ಕ್ಲಾಜುಗಳಲ್ಲಿ ಕೆಲವು ಸುಧಾರಣೆಗಳನ್ನು ಮಾಡಿದೆ. ಈ ದಿವಸ ನಮ್ಮ ರಾಜ್ಯದಲ್ಲಿ ಒಂದು ಹೊಸರೀತಿಯ ಸಮಾಜವನ್ನು ಸೃಷ್ಟಿಸಬೇಕಾಗಿದೆ. ಈ ದಿವಸ ದೊಡ್ಡ ದೊಡ್ಡ ನಗರಗಳಲ್ಲಿರತಕ್ಕ ಕೂಲಿಗಾರರ ಮಕ್ಕಳು ಅನೇಕ ತೊಂದರೆಗಳಿಗೀಡಾಗಿ ತನ್ನುಬೇನೆ ಅವರು ದುರುಪಯೋಗಕ್ಕೆ ಒಳಗಾಗತಕ್ಕ ಪರಿಸ್ಥಿತಿ